

# FREE PRESS.

ISAAC H. JULIAN, - - - Editor  
SAN MARCOS, TEXAS.  
THURSDAY, AUGUST 7, 1890.

All Communications for the Free Press should be sent in on Monday to insure insertion the same week, and all advertisements and business notices not later than Wednesday noon.

Positively no communication published unless the writer's real name accompanies it, not for publication unless desired but for our own benefit and protection.

## VALEDICTORY.

I had occasion last week to correct a mistaken report as to my having sold out the FREE PRESS. I have now to announce that I have accepted an offer from another quarter and have sold out my newspaper, office and business to R. S. Carver, and H. B. Stith, of Sedalia, Mo., who will take charge immediately after the issue of this week's paper. They come well recommended, and I cordially commend them to my friends.

But for the suddenness of the change, I might have felt inclined toward "looking backward" to the extent of a column or so. Time will not permit, and perhaps it is just as well that this is so. I only wish to say, that after an experience of nearly thirty years as newspaper editor and publisher, I am quite content to retire. My children are all grown and acting for themselves, so I have no further inducement to continue. A great deal of long-deferred literary work in other lines awaits my hand, work which is more to my taste, and which I trust may prove not less profitable, to say the least.

Before stepping down and out let me say further, that during my long editorial service in San Marcos, while aware of many shortcomings, I am cheered by the consciousness of having done my best under, for the most part, very unpropitious circumstances. I know that I have always furnished quite as good an article in the way of a newspaper as the market would justify, and that I have faithfully labored for the best interests of the people. I cherish the conviction that in the time to come I shall be better understood than I have been by some, and that the place filled by the FREE PRESS in the annals of beautiful San Marcos will reflect no discredit on her name and fame. I believe I have been permitted to sow some good seed, which shall spring up and bear fruit long after I shall have passed from earth.

To the friends who have so firmly stood by me (better I have never had in any place in which I have lived), I desire to tender my heartfelt thanks. Down to the latest hour of my life I shall cherish their memory. To my brethren of the press I would express my appreciation of their nearly uniform courtesy.

Any now, "with malice toward none, with charity toward all," I take most probably my final leave of the editorial calling.

ISAAC H. JULIAN.

Harrison and Wanamaker deserve the highest praise for their recommendation of the most stringent legislation by Congress against lotteries.

The Representative convention for this district met in this place on Tuesday and made short work of it by nominating E. H. Rogan and Joseph Francis by acclamation.

Charles Schreiner, a large local creditor of the Aransas Pass road, has joined with a number of foreign creditors and a strong effort will be made to oust Messrs. Yoakum and McNamara as receivers.

The San Antonio Express, in its reference to the late senatorial convention, shows a great lack of correct information. The matter has been settled, and as we think settled right, so we deem it quite unnecessary to speak of it further.

The Republicans of Tennessee, met in State convention at Nashville yesterday, and nominated a State ticket. Lewis T. Baxter of Davidson county, is the nominee for Governor. The Resolutions adopted endorse Harrison and his administration and the policy of the present Congress, including the effort to pass the Lodge election bill.

## IMPORTANT OPINION FROM THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

Children Cannot be Legally Transferred from Outside Communities to a Private and Denominational School in a Town which has Taken Independent Control of its Public Schools. If sent to such Town they must go to the Public School, and be under the Control of its Public School Trustees, otherwise they cannot secure their share of the Public School Fund.

We invite special attention to the following letter from Mr. Cooper in answer to inquiries addressed him by a citizen of this place:

AUSTIN, TEXAS, August 1, 1890.  
DEAR SIR:—I have the honor to acknowledge the receipt of yours of 31st ult., in which you state in substance that it is the practice of certain school communities in Hays county, organized outside of the independent district of San Marcos, to transfer their children to a private and denominational school located within the limits of said independent district of San Marcos, that this practice has been persisted in for several years, and you ask my opinion on this state of facts.

In reply you are advised that such transfers are illegal. If children are transferred from rural districts to the town of San Marcos, they must be transferred to the public school of said town. If they are transferred to a school located within the limits of said town of San Marcos, such school is a public school, and it must be under the control of the trustees of the public schools of the town of San Marcos. The county judge and county treasurer will both be responsible on their bonds for public school money paid out thus illegally to a private school located within the town of San Marcos. The trustees of the public schools in the town of San Marcos should see to it that this illegal transfer of public school funds to a private school located in the town of San Marcos, is not repeated.

Yours very truly,  
OSCAR H. COOPER,  
State Supt. Pub. Inst.

A few observations occur to us as appropriate to the above letter. The position taken is not a mere assertion of Superintendent Cooper. He is fully sustained by the school law, as any one who is skeptical on that point can satisfy himself by examination.

Now look at some facts. The vote for separating the free schools of this city and making them independent took place in April 1885. In pursuance of this vote the city took actual charge in July of said year. Now in that same month and year these outside communities were organized and their pupils and their share of the school fund handed over to Coronal Institute, and this has been persisted in ever since. The annual amount thus illegally appropriated has been between \$300 and \$400, making in all some \$1,600. This is no small matter, especially when taken in connection with the large amounts lost to the county by mismanagement, the non-collection of interest on sales of school lands, etc.

August 31, '85 public school trustees were elected, viz: Hutchinson, De Steiger, C. Hutchings, Fromme and Mosher. All but one of these are still members of the board. For five years they have allowed these illegal misappropriations of the funds belonging to the public school children of San Marcos and Hays county. The consequence was seen at the last session of our public school, which was compelled to close at the end of five or six months, instead of holding nine months as it should do. Is this a small matter?

All this time the pitiful pretext was made to justify it that we had no public school building. But now that we have one as good as the Institute, with as good teachers, and all that, the triggers are again set to keep up this illegal practice, and the continued connivance of the public school trustees is counted on. Now Coronal Institute has a set of trustees of her own, and we think it would be highly becoming to our public school trustees to represent the public school interest solely and singly. Why cannot they emulate the noble example and teachings of Prof. Cooper in this regard? We assure them the people expect and will demand such a course at their hands. Coronal Institute is quite sufficiently represented without their aid.

## Federal Election Bill. SPEECH OF HON. LITTLETON W. MOORE, OF TEXAS.

In the House of Representatives, Monday, June 30, 1890.  
CONTINUED FROM OUR LAST.

It would be sufficient reply to make to the decision of this supreme co-ordinate branch of the Government, as mere authority, to say that no such law was before the court, nor no such power of Congress as in this bill which the court in these two cases then considered. They neither pronounced nor were called upon to pronounce any such decision as to the exercise by Congress of any such power as in this bill, governing elections by the people of their Representatives. The court was considering the sole question of penalties enacted in the statute of 1871 and the act amendatory thereof for the violation of State regulations in the matter of election of a member of Congress. The court sustained such power in Congress prescribing these penalties, and further decided that such regulation by Congress was absolute and exclusive in whatever medium of such power exerted.

If this be the law, then I ask where is the authority in Congress to make any regulations co-ordinate and concurrent with that of the States wherein the people choose their Representatives? To make or alter regulations of these in such elections by Congress under these decisions, would require of Congress to exercise its power not in any co-ordinate or concurrent action with the State, but exclusive. If Congress does not do this, then Congress does not by law either make or alter the regulations prescribed by the States.

This is the very vice of this bill. It undertakes to preserve all the machinery of the several States regulating such elections. In the language of the report upon this bill and the speech of its author, Mr. Lodge, of Massachusetts, this bill attempts to co-operate with the States in the matter of holding elections for members of Congress. Such power I utterly deny. It is supported by no authority and violates the essential principles of good government.

No sovereign can exercise his right of power concurrently with any other magistracy. Confusion and conflict would be inevitable. The author of this bill sees his dilemma and seeks to avoid so absurd and dangerous a result by providing that the certificate of election by the returning board created by this bill shall have precedence over that issued under the State law.

This only adds to the difficulty and the more clearly demonstrates the unconstitutional character of this provision, and unavoidably produces the unnatural and abnormal result, namely, that the people under the Constitution, by virtue of the laws of their respective States choose their Representatives, do everything and all things incident to holding an election, thereby, but other persons, unknown to their law, taking no part in the election, performing no duty connected therewith, make the returns and declare the result.

The people do the voting, the choosing, and the returning board, quite away from them, out of the district, out of the State, wherever the circuit judge holds his court, makes the return and certifies to the result. In what sense I ask, under such a bill, do the people choose their Representatives in the very language of the constitution, when a board, not one of their own creation, expresses their wish? What power have I to make my choice and what is that power worth to me when the agencies to express that choice are denied me?

The great thing to be preserved by the Constitution is the right of the people to choose their Representatives. The incidents to that act the most important to any free man—are the regulations as they relate to times, places and manner of doing it. Such regulations Congress is empowered to make or alter, but, sir, whenever, under the pretense of making or altering such regulations, the right of the people to choose their Representatives is impaired or threatened; then you invite fraud, force, and violence, in a much more grave form than now threatens the electing by the people.

But, Mr. Speaker, there is yet a much more serious objection to this system of legislation. The language of the Constitution is:

But the Congress may at any time by law make or alter such regulations.

Whatever Congress may rightfully do must be done by law.

The form of the expression and the term law, here used, imply that such action as Congress does exercise must be general, uniform, final, and binding as the very force of law upon all the people. It cannot apply to States, sections or communities. It must have the binding force of law upon the people. Congress has no power to delegate its authority to any portion of the people or permit them in spots to have this law or not as they please. There should be no local option as to its enforcement or its adoption. All must be under or none can be.

In what sense is that a law of Congress by which one district in a State acts under the authority of the Legislature of the State while another acts under the provisions of this bill? In one instance the State alone issues the certificate of election and in the other the State in effect is denied this power in another district within the same State.

Let me ask, Mr. Speaker, what is the real purpose of this bill? Why do Representatives upon this floor from the entire North, East, and

West declare they do not want this bill applied to their State or district? But one gentleman from that section has had the temerity to announce he wished it for his district, and of him I am sure his people will say they can do both without him and this bill. Yet with but a single exception upon the Republican side these same gentlemen wish it applied to the South. Why to the South?

This bill is framed with the view that the people of the North would not submit to it nor in my judgment would they. But the Republican party and its members in this Chamber have preferred so many false and slanderous charges against the States in the South that they believe the people of the North are ready to see placed over them mercenary hirelings as supervisors and deputy marshals to control their elections.

If this law is passed, and I have no doubt you will be able to do so by votes of these members from the South whom you elected to Congress, then those States will bear to the Federal Government a much more hopeless condition and relation than Ireland does to England. Ireland is struggling to retain her right to local self-government, while we of the South can only lament and resent the loss of ours.

You think it means your supremacy in the South and the perpetuation of your rule in this Government. In both you will be mistaken. The South will become more solid, and remain so as long as she is threatened with that rapine and robbery and public plunder which in every State and county in the South Republicanism exhibited during your administration of those State governments.

We make no appeal to you, you are drunk with your successes and excesses. Your ambition has overleaped itself. We do appeal to our countrymen everywhere who love peace, justice, equality, and liberty, who place country above party, and with whom the passion and animosities of the war between the States have given place to a more perfect Union.

A paper must have three persons connected with it to make it a success, namely, an editor, manager, and solicitor. It is the business of the editor to fill the paper, the manager to mail the paper, and the solicitor to get some one to pay for the paper. Filling the paper includes not only editing what goes in, but, the harder task, editing what is left out. The manager not only mails, but he must keep the books, attend to business correspondence and all collections. The solicitor not only solicits subscriptions but advertisements, and keeps the cash coming into the office. The editor is the conductor, the manager is the engineer, and the solicitor is fireman.

We copy the above lucid and truthful statement for the purpose of suggesting to the considerate reader how he supposes one gets along who has to combine all the above positions in his own person? Such has been our predicament ever since we resumed the business in Texas, for the sufficient reason that it would not warrant the employment of suitable help. Situated as we are we are necessarily very much confined to our office, and hence of course our opportunity for soliciting business or getting local news is very much restricted. Our friends therefore could render us especial service, not only in the country but in town by calling and giving or sending us the local happenings of interest which may come under their notice. We are often blamed for failing to notice matters of this sort, when our citizens should blame themselves for not having given us the information which was in their possession. Will our friends please think of this.

[The above is the commencement of an editorial we had written before we were aware that we should so soon sell out. We give place to it still so that our overcritical friends may fully understand the peculiar difficulties under which we have labored, and perchance abate somewhat of their censures.]

We extract the following passages from a late letter from Fairhaven, State of Washington:

Fairhaven is going right ahead. Most of the principal streets are graded and the work is going on with unabated vigor.

The corrected census returns place the population at 4,035. Every laborer and everyone that could be rustled up were rung in and had their noses counted. The showing is certainly a good one for a town less than two years old.

The Oregon Improvement Company has put on two new steamers on this route, both propellers, and it looks like the stern-wheelers will soon be ruled out. One of these the "Eastern Oregon" is a big iron steamer, large as those on the Morgan line, that ply on the Gulf coast, she makes the round trip daily touching at Seattle, Fairhaven, Port Townsend and minor points.

The railroad to connect us with the Canadian Pacific is being pushed with an energy that would make an average Texan shudder, and before the close of the present year connections will have been completed. We will also soon be in communication by rail with the Northern and Western Pacific systems on the South and will be the terminus of another transcontinental line, which is nearly completed. Y. J.

## WASHINGTON LETTER. (From our regular Correspondent.) WASHINGTON, D. C. July 28, 1890.

It is safe to say that there is no consuming desire on the part of the Senate, either by the adoption of stringent rules or in the ordinary course, to crown its work with the enactment of an election law such as would be not only purely partisan in its character, but of doubtful partisan expediency. Not that the Senate is in the habit of being outdone by the House, when it comes to questions of partisanship, but there are a number of Republican Senators who like to see their way clear to safe and certain results before committing themselves to the support of legislation so radical as to be revolutionary, and it is extremely doubtful whether a quorum can be mustered to pass the force bill excepting as an heroic measure, necessitated by the obstructive tactics of the opposition. The tariff bill is yet to be disposed of as by all odds of more importance to the country than the force bill, even if the latter be conceded all the merit that its advocates claim for it; and the tariff discussion is certain to consume a good deal of time, prolonging the session to a period when it would be impracticable to apply the machinery of the galvanized Davenport law to this fall's elections.

The question of a new apportionment, when it comes up in the House, will be an interesting one. After every census the apportionment has been changed to meet the requirements of the increase of population, and the popular branch of Congress has increased in membership accordingly. Now the House has 332 members, counting those from the new states, though 322 was the number given by its last apportionment. This was based on the apportionment of one Representative to every 151,000 people. The total population of the country at the last census was 50,185,723, and this year it is estimated that it will approach 65,000,000. This large increase will make it necessary either to increase the basis of representation or increase the membership of the House or both.

The question has almost as many sides as the House has members. Some, who think the present body too large and unwieldy, hold that under no circumstances should the size of it be increased. Others favor cutting down the basis of representation and allowing the membership to run as high as it could, pointing out that the British House of Commons has about 700 members, and yet manages to do the work required of a popular body. Between these extremes there are advocates of many other plans. One of the most talked of is to increase the basis of representation to 180,000 or 185,000, which would probably give the House a membership of 350 or 360. If this is done, the increase would scarcely be sufficient to cut any state out of a representative.

Strange sensations must come over Mr. Blaine these days when he notes the quarters from which he is winning applause as he scores point after point against the McKinley Tariff bill and its framers. Mr. Blaine shows his shrewdness in endeavoring to get in line with the tariff-reform sentiment which is a grown strong even in his own party. The policy which he advocates will work out the result for which Democratic tariff-reformers have struggled so long, and although it will do it under a different name, the same end will eventually be attained. L.

## PROGRESS OF THE WEST.

Assistant Postmaster-General Clarkson's Tour.

WASHINGTON, July 28.—Assistant Postmaster-General Clarkson returned from his tour of the Western States last night, and assumed his official duties here to-day. He said to an Associated Press reporter: "I have been gone nearly two months and have traveled 9000 miles, passed through fifteen States. I spent nearly all the time in the country west of the Missouri River where there is such development and growth. "My tour comprehended all the important cities west of Chicago and north of Kansas City. No one can understand how rapidly that great country has grown unless he sees it. It has not had in any of the departments of the Government, any of the official facilities that it is entitled to. This is largely because of its extraordinary growth. I traveled on the fast mail from Central Iowa to Portland, Ore., which makes a good deal of the time sixty-seven miles an hour, and the service is very efficient, and other fast mails are being brought up to the standard of efficiency. "The postoffices in the cities that have been doubling every year or two were looked over, and I have returned with strong recommendations for increased allowances for nearly all of them, and some of these have already been granted. The department is anxious to try and keep up with that country in its prodigious growth and increase of population and business. I made a pretty thorough tour of Wyoming, Colorado, Montana, Idaho, Oregon, Washington and California. "The development of the States in the mountains and on the Pacific Slope is simply wonderful. The Paget Sound country in Western Washington is the most wonderful I ever saw. The cities are most wonderful in their growth. I have seen no country to equal that country in climate, soil, resources and beauty in scenery. The larger half of the country lying west of the Mississippi is undergoing great prosperity."

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IF YOU CAN'T FIND THEM FOR SALE BY YOUR MERCHANTS, WRITE US.

An anti lottery bill has been introduced in congress. It provides a penalty of \$500 for any person who transmits through the mails any letter, circular, newspaper or pamphlet, containing any advertisement of a lottery or gift enterprise. Checks, drafts, etc., in payment of chances in such lottery are included also. The bill is said to be free from constitutional objections urged against bills of the kind introduced heretofore, and it is understood that the committee will report it favorably and that it will probably be passed. —Galveston News.

Hon. Geo. McCormick has withdrawn from the congressional race in this district, leaving Judge Moore, the present member, a clear field. Judge McCormick might have prevented Moore's re-nomination under the two-thirds rule, but preferred the milder course of withdrawing when he saw the majority was against him. —Ex.

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New Books and Latest Newspapers and Periodicals a specialty. A full line of Stationery and Postage. Transient as well as resident people will here find what they want in the line of papers, reading matter, etc. Call and see, Jan 9-11

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A Card.

Thanking my friends and customers for the liberal patronage they have bestowed upon me for the past season I beg to inform you that I have again made arrangements for the agency of the Deere and Eagle Plows, both of them having proven a great success, also the Standard and Eagle Cultivators and Planters, McCormick Binders and Mowers and other first-class farming implements which I offer at low prices and on liberal terms.

By fair and square dealings I shall try to retain the confidence of my friends which I have so liberally enjoyed, and it is with pride that I refer to customers who have stood by me for the last 20 years.

W. M. GIESEN.